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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,237	01/28/2004	Hitan S. Kamdar	GP-304345 (2760/159)	4779

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EXAMINER

FIGUEROA, MARISOL

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,237

Applicant(s)

KAMDAR ET AL.

Examiner

Marisol Figueroa

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-¹⁰78 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-¹⁰78 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is in response to Applicant's amendments filed on 12/27/2005. Claims 1-~~18~~²⁰ are still pending in the present application.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-8, 11-17, 19, and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnell et al. (US 2003/0208522 A1) in view of Fuchs et al. (US 2003/0139179 A1).

Regarding claim 1, McDonnell discloses a method for wireless network data collection utilizing a telematics unit within a mobile vehicle communication system, the method comprising:

detecting at least one wireless short-distance communication network identification signal (Abstract, lines 1-12; P.0028, lines 1-11; as a user moves along the coverage zone of the portals, e.g. business premises, his/her wireless device detects beacons signals from the portals that alert nearby compatible systems of their presence);

generating wireless network information based on the at least one detected wireless network identification signals (P.0028, lines 8-17); and

communicating the generated wireless network information to a service provider (Abstract, lines 9-16; P.0022; P.0028, lines 13-20; programs in the wireless device forms an structured information (e.g. identity of the business, location of portal, and services available) into a message that transmits through the cellular subsystem to a database service system).

However, McDonnell fails to disclose wherein the at least one wireless short distance network communication signal is detected at a vehicle system module which includes software and hardware components for operating, controlling or monitoring one or more vehicle systems, and the vehicle system module coupled to a vehicle communication bus.

Fuchs teaches an apparatus for integrating a personal communications system with a telematics device within a vehicle, which is known to deliver wide spectrum of information to vehicle-based subscribers (p.0001, lines 1-10). The telematics device is coupled to and integrated with the vehicle such as a car, bus, train, aircraft and the like, and includes a processor and algorithms for processing algorithms stored in the memory (p.0019) and is coupled to vehicle electrical bus to communicate and exchange data with at least one vehicle system (i.e. door-locking, comfort features, etc.) for controlling, operating, or configuring, communication status of at least one vehicle system. Also comprises a first wireless interface for communicating over a WAN network and a second wireless interface for communicating over a WLAN network (p.0024), and couples with a remote device (i.e. cellular phone, PDA, etc) and a communications node to integrate with a personal communications system (Fig. 1; p.0018).

Therefore, it would have been obvious to one having ordinary skill in the skill in the art, to modify McDonnell's invention with the teachings of Fuchs to integrate the user's wireless device with a telematics system for detecting and gathering information from beacons while a user is in a vehicle, because a vehicle will allow the travel across a wide area for gathering information in a short

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amount of time, and using the same system for in-vehicle and personal communications (p.0001-0003).

Regarding claim 2, the combination of McDonnell and Fuchs disclose the method of claim 1, McDonnell discloses wherein detecting the at least one wireless short-distance communication network identification signal comprises:

receiving at least one wireless short-distance communication network identification signal (P.0028, lines 1-11; the wireless communication device receives a presence signal from the portal, e.g. business premises);

determining a unique device identifier associated with each received wireless short-distance communication network identification signal (P.0028, lines 1-17; the mobile device request from the portal structured information, e.g. identity of the business); and

storing the determined unique device identifier (P.0030).

Regarding claim 3, the combination of McDonnell and Fuchs disclose the method of claim 1, McDonnell discloses wherein the wireless short-distance communication network identification signal includes information selected from the group consisting of: an internet protocol address, GPS location, a location identification tag, points of interest, venue capacity, venue size, and category (P.0021, lines 1-6; P.0028, lines 10-17).

Regarding claim 4, the combination of McDonnell and Fuchs disclose the method of claim 1, McDonnell discloses wherein generating the wireless network information comprises: associating a GPS coordinate with the detected wireless short-distance communication network identification signal (P.0033, lines 1-9; the mobile device can determine its own location and associate it with the presence signal received from the portal, e.g. business premises); and storing the

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wireless short-distance communication network identification signal and the associated GPS coordinate (P.0030).

Regarding claim 5, the combination of McDonnell and Fuchs disclose the method of claim 4, McDonnell discloses wherein the GPS coordinate is based on the location of the telematics unit at the time of reception (P.0033, lines 3-9).

Regarding claim 6, the combination of McDonnell and Fuchs disclose the method of claim 4, McDonnell discloses wherein the GPS coordinate is included within the at least one wireless short-distance communication network identification signal (P.0028, lines 1-17; location of the portal is transmitted in a wireless short-distance signal to the mobile device).

Regarding claim 7, the combination of McDonnell and Fuchs disclose the method of claim 1, McDonnell discloses wherein the at least one wireless short-distance communication network identification signal is selected from the group consisting of: radio frequency identification data, a short message service signal, an IEEE 802.11 standard compliant signal, and a Bluetooth compliant signal (P.0020, lines 3-7).

Regarding claim 8, the combination of McDonnell and Fuchs disclose the method of claim 1, McDonnell discloses wherein communicating the generated wireless network information to a service provider comprises: detecting a wireless network information upload trigger; and initiating a wireless network information transmission to the service provider responsive to the detected wireless network information upload trigger (P.0038, lines 1-6; the upload trigger is the detection of collected information or the detection of the termination of a period for collecting information from a number of portals).

Regarding claim 10, the combination of McDonnell and Fuchs disclose the method of claim 8, McDonnell discloses further comprising: transmitting the wireless network information to a service provider (P.0022, lines 5-9; P.0038, lines 1-6).

Regarding claim 11, McDonnell discloses a computer readable medium for operating a telematics unit within a mobile vehicle, comprising:

computer readable code for detecting at least one wireless short-distance communication network identification signal (Abstract, lines 1-12; P.0028, lines 1-11; as a user moves along the coverage zone of the portals, e.g. business premises the detects beacons signals from the portal that alert nearby compatible systems of their presence);

computer readable code for generating wireless network information based on the at least one detected wireless network identification signals (P.0028, lines 8-17); and
computer readable code for communicating the generated wireless network information to a service provider (Abstract, lines 9-16; P.0022; P.0028, lines 13-20; the programs of the wireless device forms the structured information, e.g. identity of the business, location of portal, and services available, and sends a message through the cellular subsystem to a database service system). McDonnell inherently has a “computer readable medium”, given that McDonnell shows a process that would be implemented by a processor that requires a “computer readable medium”, e.g. a RAM, to function.

However, McDonnell fails to disclose wherein the at least one wireless short distance network communication signal is detected at a vehicle system module which includes software and hardware components for operating, controlling or monitoring one or more vehicle systems, and the vehicle system module coupled to a vehicle communication bus.

Fuchs teaches an apparatus for integrating a personal communications system with a telematics device within a vehicle, which is known to deliver wide spectrum of information to

vehicle-based subscribers (p.0001, lines 1-10). The telematics device is coupled to and integrated with the vehicle such as a car, bus, train, aircraft and the like, and includes a processor and algorithms for processing algorithms stored in the memory (p.0019) and is coupled to vehicle electrical bus to communicate and exchange data with at least one vehicle system (i.e. door-locking, comfort features, etc.) for controlling, operating, or configuring, communication status of at least one vehicle system. Also comprises a first wireless interface for communicating over a WAN network and a second wireless interface for communicating over a WLAN network (p.0024), and couples with a remote device (i.e. cellular phone, PDA, etc) and a communications node to integrate with a personal communications system (Fig. 1; p.0018).

Therefore, it would have been obvious to one having ordinary skill in the skill in the art, to modify McDonnell's invention with the teachings of Fuchs to integrate the user's wireless device with a telematics system for detecting and gathering information from beacons while a user is in a vehicle, because a vehicle will allow the travel across a wide area for gathering information in a short amount of time, and using the same system for in-vehicle and personal communications (p.0001-0003).

Regarding claim 12, the claim is rejected over the same reasons stated about claim 2, as it recites the same limitations of claim 2. See remarks about claim 2 above.

Regarding claim 13, the claim is rejected over the same reasons stated about claim 4, as it recites the same limitations of claim 4. See remarks about claim 4 above.

Regarding claim 14, the claim is rejected over the same reasons stated about claim 5, as it recites the same limitations of claim 5. See remarks about claim 5 above.

Regarding claim 15, the claim is rejected over the same reasons stated about claim 6, as it recites the same limitations of claim 6. See remarks about claim 6 above.

Regarding claim 16, the claim is rejected over the same reasons stated about claim 7, as it recites the same limitations of claim 7. See remarks about claim 7 above.

Regarding claim 17, the claim is rejected over the same reasons stated about claim 8, as it recites the same limitations of claim 8. See remarks about claim 8 above.

Regarding claim 19, the claim is rejected over the same reasons stated about claim 10, as it recites the same limitations of claim 10. See remarks about claim 10 above.

Regarding claim 20, McDonnell discloses a system for operating a telematics unit within a mobile vehicle, the system comprising:

means for detecting at least one wireless short-distance communication network identification signal (P.0023-0024; Short-range Wireless Transceiver);

means for generating wireless network information based on the at least one detected wireless network identification signals (P.0028, lines 1-17; Gatherer Program 26); and

means for communicating the generated wireless network information to a service provider (P.0025, lines 1-6; Cellular Radio Subsystem 22).

Fuchs teaches an apparatus for integrating a personal communications system with a telematics device within a vehicle, which is known to deliver wide spectrum of information to vehicle-based subscribers (p.0001, lines 1-10). The telematics device is coupled to and integrated with the vehicle such as a car, bus, train, aircraft and the like, and includes a processor and algorithms for processing algorithms stored in the memory (p.0019) and is coupled to vehicle electrical bus to communicate and exchange data with at least one vehicle system (i.e. door-locking, comfort features, etc.) for controlling, operating, or configuring, communication status of at least one vehicle system. Also comprises a first wireless interface for communicating over a WAN network and a second wireless interface for communicating over a WLAN network (p.0024), and

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couples with a remote device (i.e. cellular phone, PDA, etc) and a communications node to integrate with a personal communications system (Fig. 1; p.0018).

Therefore, it would have been obvious to one having ordinary skill in the skill in the art, to modify McDonnell's invention with the teachings of Fuchs to integrate the user's wireless device with a telematics system for detecting and gathering information from beacons while a user is in a vehicle, because a vehicle will allow the travel across a wide area for gathering information in a short amount of time, and using the same system for in-vehicle and personal communications (p.0001-0003).

5. **Claims 9 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonnell et al. in view of Fuchs et al., and further in view of Lupien (US 6,006,091).

Regarding claim 9, the combination of McDonnell and Fuchs disclose the method of claim 9, however fails to disclose wherein the upload trigger comprises receiving a wireless network information request and processing the wireless network information request to identify the wireless information upload trigger.

Lupien teaches a method for a method for informing a network of a mobile terminal's capabilities, by the mobile terminal receiving a message from the network requesting information about the mobile terminal capabilities and followed the mobile terminal transmits a capability report to the network (abstract, lines 1-12; col.4, lines 51-61). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, for an upload trigger to comprise receiving a wireless network information request and processing the request for identifying the upload trigger as suggested by Lupien, because an information request defines a time at which information contained in the mobile terminal is needed by the network.

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Regarding claim 18, the claim is rejected over the same reasons stated about claim 9, as it recites the same limitations of claim 9. See remarks about claim 9 above.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Marisol Figueroa


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